

**Notice of Allowability**

Application No.

10/840,076

Examiner

Glenn A. Auve

Applicant(s)

HARRIS ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the application as filed.
2. ☒ The allowed claim(s) is/are 1-27.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

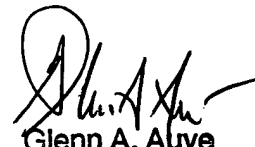
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 5/5/2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_



Glenn A. Auve  
Primary Patent Examiner  
Technology Center 2100

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Kevin Wills on February 1, 2006.

The application has been amended as follows:

In the specification, page 1, under "Related Applications" enter the serial number 10/839,841 in the space provided;

In claim 1, line 9, change "card" to – cards --;

In claim 4, line 2, change "card" to – cards --;

In claim 7, line 3, change "card" to – cards --;

In claim 8, line 3, change "card" to – cards --;

In claim 9, line 3, change "card" to – cards --; and

In claim 11, line 3, change "card" to – cards --.

2. The following is an examiner's statement of reasons for allowance: the independent claims include the limitation of a switching element that directly couples the switched fabric enabled mezzanine card or cards to the switching fabric. This limitation in combination with the other elements in the claims are not present in the prior art and would not have been obvious.

3. The related application 10/839,841 which was filed on the same date as the instant application contains claims that are rather similar to the claims in this application. However, those claims do not include the switching element limitations noted above. It does not appear

that it would have been obvious to one of ordinary skill in the art at the time of the invention to include the switching element limitation in the claims of the other application. For that reason no double patenting rejection has been made. Furthermore, since these applications were filed on the same date and the other application has yet to be issued or examined a provisional double patenting rejection would not be proper at this point since there are no other outstanding issues. However, it is possible that obviousness type double patenting could be present in the claims in the other application since they are broader than the claims in the instant application.

4. The other U.S. Patent Application Publications cited but not applied are also assigned to the assignee of the instant application. These applications include VME Bus systems and VXS switching systems, but none of them show the claimed limitations noted above.

5. The VXS VMEbus Switched Serial Standard revision 1.6 has also been cited as background information on VXS. While it shows the requirements for VXS systems, backplane, and cards it also does not show the limitations noted above.

6. The cited presentation slides entitled "VXS: VMEbus Switched Serial, A novel and emerging architecture for embedded computing" appear to have been authored by one of the co-inventors of the instant application and they also provide background on VXS.

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Glenn A. Auve whose telephone number is (571) 272-3623. The examiner can normally be reached on M-F 8:00 AM-5:30 PM, every other Friday off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on (571) 272-3632. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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gaa  
1 February 2006